

1 Chief Judge Robert S. Lasnik
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9
10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE

13 UNITED STATES OF AMERICA,)
14 Plaintiff,) NO. CR 04-326L
15 v.) ORDER CONTINUING
16 WILLIAM N. VINNIE, JR.,) TRIAL DATE
17 Defendant.)
18 _____)

19 This Court having considered the arguments of counsel on October 3, 2005,
20 hereby GRANTS the parties' request for a continuance of the trial date. The continuance
21 is over the objections of the Defendant.

22 Defense Counsel explained that, to date, her efforts have been focused on
23 determining Mr. Vinnie's criminal history for the purpose of making a reasoned and
24 informed decision on whether to proceed to trial, or pursue a resolution to this case.
25 Defense Counsel also stated, that due to the difficulty in pursuing an accurate assessment
26 of her client's criminal history, she has not undergone any case investigation, interviewed
27 witnesses, or began other necessary preparation for the trial, currently set for October 17,
28 2005. U.S. Probation has agreed to conduct a pre-plea Presentence Investigation for the
purpose of determining the Defendant's criminal history, to assist Defense Counsel in
advising her client adequately. Since this process is likely to take two to three weeks,

1 Defense Counsel must have adequate time to prepare for trial if a resolution is not
2 reached.

3 This Court is granting a continuance of the trial date, over the Defendant's
4 objection, because it is in the Defendant's best interests to have the advice of fully
5 informed counsel, to determine a prudent course of action. More significantly, if the
6 decision to proceed to trial is made, Defense Counsel will require additional time to
7 adequately and competently prepare for trial. A continuance of the trial date serves both
8 of these interests.

9 It is in the interest of the public to ensure the accused adequate, effective, and
10 continued representation by counsel presently assigned. This Court finds that, for the
11 above reasons, the ends of justice served by granting a continuance, is clearly in the best
12 interests of the Defendant, and outweighs any interest of the public or the Defendant in a
13 speedy trial.

14 The parties motion for continuance is GRANTED. Trial is reset for December 12,
15 2005. The new motions deadline is November 4, 2005. The Court will issue new dates
16 for the filing of trial paperwork, and for the pre-trial conference.

17 The time from the filing of this order, through the new trial date shall be
18 excludable under the Speedy Trial Act, Title 18, United States Code, Section
19 3161(h)(8)(A).

20 Dated this 4th day of October, 2005.
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24 Robert S. Lasnik
United States District Judge
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